A/64/12/Add.1

United Nations

United Nations High Commissioner for Refugees

Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

Sixtieth session
(28 September-2 October 2009)

General Assembly
Official Records
Sixty-fourth Session
Supplement No. 12A

Please recycle

General Assembly
Official Records
Sixty-fourth Session
Supplement No. 12A

United Nations High Commissioner for Refugees

Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

Sixtieth session
(28 September-2 October 2009)

United Nations • New York, 2009

Note

Symbols of United Nations documents are composed of capital letters combined with figures.

The report of the United Nations High Commissioner for Refugees has been issued as *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 12* (A/64/12).

ISSN 0251-8023

[23 October 2009]

Contents

Chapter		*Paragraphs*	*Page*
I.	Introduction	1–10	1
	A. Opening of the session	1–2	1
	B. Representation on the Committee	3–8	1
	C. Adoption of the agenda and other organizational matters	9	2
	D. Election of officers for the sixty-first session	10	3
II.	Work of the Sixtieth Session	11-12	3
III.	Conclusion and decisions of the Executive Committee	13–17	3
	A. Conclusion on protracted refugee situations	13	3
	B. General decision on administrative, financial and programme matters	14	3
	C. Decision on the programme of work of the Standing Committee in 2010	15	5
	D. Decision on observer participation in meetings of the Standing Committee in 2009-2010	16	5
	E. Decision on the provisional agenda of the sixty-first session of the Executive Committee	17	6
Annexes			
I.	List of decisions adopted by the Standing Committee in 2009		7
II.	Chairman's summary of the General Debate		8

I. Introduction

A. Opening of the session

1. The Executive Committee of the High Commissioner's Programme held its sixtieth plenary session at the Palais des Nations in Geneva, from 28 September to 2 October 2009. It was opened by the Chairman, His Excellency Ambassador Alberto J. Dumont (Argentina).

2. The Chairman welcomed delegates, notably those representing Djibouti and the Republic of Moldova who were attending their first plenary session as members.

B. Representation on the Committee

3. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Brazil, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guinea, Holy See, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Lebanon, Lesotho, Luxembourg, Madagascar, Mexico, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Yemen and Zambia.

4. The Governments of the following States were present as observers:

Afghanistan, Angola, Armenia, Azerbaijan, Bahrain, Belarus, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cambodia, Cameroon, Chad, Congo, Croatia, Dominican Republic, Eritrea, Gabon, Gambia, Georgia, Guatemala, Guinea-Bissau, Haiti, Indonesia, Iraq, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Monaco, Myanmar, Nepal, Oman, Panama, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Sri Lanka, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Turkmenistan, Ukraine, Uzbekistan and Zimbabwe.

5. The Sovereign Military Order of Malta was represented as an observer.

6. Also present were the following intergovernmental organizations and other entities:

African Union, African, Caribbean and Pacific Group of States, Council of Europe, Economic Community of West African States, European Community, Intergovernmental Authority on Development, International Centre for Migration Policy Development, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies,

International Organization for Migration, International Organization of La Francophonie and Organization of the Islamic Conference.

7. The United Nations system was represented as follows:

Food and Agriculture Organization, Office for the Coordination of Humanitarian Affairs, Office of the United Nations High Commissioner for Human Rights, United Nations Development Programme, United Nations Educational, Scientific and Cultural Organization, United Nations Office at Geneva, United Nations Population Fund, United Nations Relief and Works Agency for Palestine Refugees in the Near East, United Nations Volunteers, World Bank and World Food Programme.

8. 35 non-governmental organizations attended.

C. Adoption of the agenda and other organizational matters

9. The Executive Committee adopted by consensus the following agenda (A/AC.96/1072 and Corr.1):

1. Opening of the session.
2. Adoption of the agenda and other organizational matters.
3. Statement by the High Commissioner and the guest speaker.
4. General debate.
5. Consideration of reports on the work of the Standing Committee:
   (a) International Protection;
   (b) Programme budgets, management, financial control and administrative oversight.
6. Reports relating to programme and administrative oversight and evaluation.
7. Consideration and adoption of the Biennial Programme Budget 2010-2011.
8. Review of the Annual Consultations with non-governmental organizations.
9. Other statements.
10. Meetings of the Standing Committee in 2010.
11. Consideration of the provisional agenda of the sixty-first session of the Executive Committee.
12. Election of officers.
13. Any other business.
14. Adoption of the report of the sixtieth session of the Executive Committee.
15. Closing of the session.

D. Election of officers for the sixty-first session

10. Under Rule 10 of its Rules of Procedure, the Committee elected the following officers by acclamation, to serve the Committee from the day immediately following their election to the end of the last day of the following annual plenary session:

Chairperson:	H.E. Ambassador Caroline Millar (Australia)
Vice-Chairperson:	H.E. Ambassador Hisham Badr (Egypt)
Rapporteur:	Ms. Melissa R. Pitotti (United States of America)

II. Work of the sixtieth session

11. As the basis for the general debate, the High Commissioner delivered an opening statement, the text of which is available on UNHCR's website (www.unhcr.org). The High Commissioner's guest speaker, the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, then addressed the Executive Committee before the opening of the floor to delegations for the general debate.[1]

12. A summary of the general debate, delivered by the Chairman, is found in Annex II.

III. Conclusion and decisions of the Executive Committee

A. Conclusion on protracted refugee situations

13. Consensus on the text of a draft conclusion on protracted refugee situations could not be reached in time for it to be adopted as part of this report. Negotiations of this text will be pursued by member States with the objective of reaching consensus on an agreed text by the end of the current year, so that a conclusion on protracted refugee situations may be adopted by the Executive Committee at an Extraordinary Meeting to be convened in December 2009.

B. General decision on administrative, financial and programme matters

14. *The Executive Committee*,

(a) *Notes* that the "New or additional activities — mandate-related" Reserve appropriation level of $75 million for 2009 may prove insufficient; and *authorizes* UNHCR to increase the 2009 appropriation to $90 million;

(b) *Approves* the programmes and budgets for Regional Programmes, Global Programmes and Headquarters under the revised Annual Programme Budget for the

[1] See summary records of the session for a full account of the deliberations of the Committee, including the statement by the guest speaker, statements or other interventions by delegations under all agenda items, and their comments on the draft decisions, as well as summing up and closing statements by the High Commissioner and by the Chairman.

year 2009 amounting to $1,280,460,000; *notes* that these provisions, together with those of $10 million for Junior Professional Officers as well as the needs under Supplementary Programmes of $934,846,900, bring total requirements in 2009 to $2,225,307,500; and *authorizes* the High Commissioner within these total appropriations, to effect adjustments in Regional Programmes, Global Programmes and Headquarters budgets;

(c) *Confirms* that the activities proposed under the Biennial Programme Budget for the years 2010-2011, as set out in document A/AC.96/1068, have been found on review to be consistent with the Statute of the Office of the High Commissioner (General Assembly Resolution 428 (V)), the High Commissioner's other functions as recognized, promoted or requested by the General Assembly, the Security Council, or the Secretary-General;

(d) *Decides* to meet by 31 December 2009 to adopt revised *Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees* and to ensure consistency between these Rules and the Biennial Programme Budget for the years 2010-2011;

(e) *Approves* the programmes and budgets for Regional Programmes, Global Programmes and Headquarters under the 2010-2011 Biennial Programme Budget amounting to $2,778,471,100 in 2010 and $2,565,400,000 in 2011 including the United Nations Regular Budget contribution towards Headquarters costs, an Operational Reserve (representing 10 per cent of programmed activities under Pillars I and II) of $196,826,200 in 2010 and $182,619,500 in 2011 and an amount of $20 million for the "New or additional activities — mandate-related" Reserve in both 2010 and 2011 respectively; *notes* that these provisions, together with those of $12.0 million for Junior Professional Officers in both 2010 and 2011 respectively, bring total requirements for 2010 to $3,007,297,300 and for 2011 to $2,780,030,300; and *authorizes* the High Commissioner within these total appropriations, to effect adjustments in Regional Programmes, Global Programmes and Headquarters budgets;

(f) *Notes* the *Report of the Board of Auditors on the Financial Statements of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 2008* (A/AC.96/1067), and the High Commissioner's *Measures taken or proposed in Response to the Recommendations of the Report of the Board of Auditors* (A/AC.96/1067/Add.1); as well as the *Report of the Advisory Committee on Administrative and Budgetary Questions on UNHCR's Biennial Programme Budget for 2010-2011* (A/AC.96/1068/Add.1) and the various reports of the High Commissioner related to oversight activities (A/AC.96/1069 and A/AC.96/1070); and *requests* to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these various oversight documents;

(g) *Requests* the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs currently indicated under the Biennial Programme Budget for the years 2010-2011; and *authorizes* the High Commissioner, in the case of new emergency needs that cannot be met fully from the Operational Reserve, to create supplementary budgets and issue Special Appeals under all pillars, with such adjustments being reported to each subsequent Standing Committee for consideration;

(h) *Calls* on UNHCR to further keep its administrative expenditure under continual review with a view to reducing it as a proportion of total expenditure;

(i) *Acknowledges* with appreciation the burden that continues to be shouldered by developing and least developed countries hosting refugees; and *urges* Member States to recognize this valuable contribution to the protection of refugees and to participate in efforts to promote durable solutions; and *further acknowledges* the valuable contribution of resettlement countries to providing durable solutions for refugees; and

(j) *Urges* Member States, in the light of the extensive needs to be addressed by the Office of the High Commissioner, to respond generously and in a spirit of solidarity, and in a timely manner, to the High Commissioner's appeal for resources to meet in full the approved 2010-2011 Biennial Programme Budget; and to support initiatives to ensure that the Office is resourced in a better and more predictable manner, while keeping "earmarking" to a minimum level.

C. Decision on the programme of work of the Standing Committee in 2010

15. *The Executive Committee*,

Having reviewed the issues before it at its sixtieth session, and bearing in mind the decisions adopted at that session,

(a) *Decides* to convene no more than three formal meetings of the Standing Committee in 2010, to be held in March, June and September;

(b) *Reaffirms* its decision on the framework for the Standing Committee's programme of work (A/AC.96/1003 paragraph 25, subparagraph 2 (c)); *authorizes* the Standing Committee to add and delete items, if appropriate, to this framework for its meetings in 2010; and *requests* member States to meet in December 2009 to draw up a detailed workplan for formal adoption by the Standing Committee at its first meeting in 2010;

(c) *Calls upon* its members to continue efforts to ensure that debate at the Executive Committee and its Standing Committee be of a substantive and interactive nature, yielding practical guidance and clear advice to the High Commissioner, in keeping with the Committee's statutory functions; and *calls on* the Office of the High Commissioner to be explicit and analytical in its reports and presentations to the Committee and to submit documentation in a timely manner;

(d) *Further requests* the Standing Committee to report on its work to the sixty-first session of the Executive Committee.

D. Decision on observer participation in meetings of the Standing Committee in 2009-2010

16. *The Executive Committee*,

(a) *Approves* applications by the following Government observer delegations for participation in meetings of the Standing Committee from October 2009 to October 2010:

Angola, Croatia, Slovak Republic, Slovenia, Sri Lanka and Syrian Arab Republic;

(b) *Authorizes* the Standing Committee to decide upon any additional applications from Government observer delegations to participate in its meetings during the aforementioned period;

(c) *Approves* applications by the following entity having received a standing invitation to participate as an observer at the sessions and in the work of the General Assembly:

Palestine;

(d) *Approves* the following list of intergovernmental and international organizations to be invited by the High Commissioner to participate as observers in relevant meetings of its Standing Committee from October 2009 to October 2010:

United Nations specialized agencies, departments, funds and programmes, African Union, Council of Europe, East African Community, Economic Community of Central African States, Economic Community of West African States, European Community, Executive Secretariat of the Commonwealth of Independent States, Intergovernmental Authority on Development, International Centre for Migration Policy Development, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, International Organization for Migration, League of Arab States, Organization of Eastern Caribbean States, International Organization of La Francophonie, Organization of the Islamic Conference, Organization for Security and Cooperation in Europe, Southern African Development Community and the Sovereign Order of Malta.

E. Decision on the provisional agenda of the sixty-first session of the Executive Committee

17. *The Executive Committee*,

Recalling its decision on working methods adopted at its fifty-fifth plenary session (A/AC.96/1003, paragraph 25),

Decides to adopt as the provisional agenda for the sixty-first session of the Executive Committee the standard model contained in subparagraph 1 (f) of the above-mentioned decision.

Annex I

List of decisions adopted by the Standing Committee in 2009

In accordance with the authority vested in it by the Executive Committee, the Standing Committee adopted a number of decisions which are annexed to the reports of the different Standing Committee meetings, as follows:

(a) *Report of the forty-fourth meeting of the Standing Committee (A/AC.96/1065)*

Decision on programme budgets and funding in 2009.

(b) *Report of the forty-fifth meeting of the Standing Committee (A/AC.96/1073)*

(i) Decision on addressing environmental issues in operations for persons of concern to UNHCR;

(ii) Decision on overall programme budgets and funding for 2009.

Annex II

Chairman's summary of the General Debate

1. The Chairman thanked the High Commissioner for his thorough and thought-provoking presentation in which he had detailed a number of UNHCR's reform efforts and major challenges confronting the organization: the shrinking of humanitarian space; a shrinking of asylum space; the difficulty of achieving durable solutions; and assisting persons of concern in urban settings.

2. He expressed the Committee's appreciation to the High Commissioner for Human Rights, Ms. Navanethem Pillay, who had provided stimulating thoughts on human rights law as a powerful source of protection for refugees and other persons of concern to UNHCR. Delegations took good note of her observation that the opportunities for a dialogue between ExCom and human rights mechanisms deserved to be intensified and refined. Finally, he conveyed the Committee's gratitude to Prime Minister Kevin Rudd of Australia, whose video presentation had reminded delegates of the very positive work performed by UNHCR.

3. He then turned to delegations' comments on the High Commissioner's opening remarks on the work of his Office. At the outset, many delegations thanked the High Commissioner for his leadership and vision. They also paid tribute to the courageous work of UNHCR staff in carrying out the Office's mandate, often in very dangerous situations.

4. With regard to the mandate, several delegations urged respect for international humanitarian law and humanitarian principles, and encouraged UNHCR to promote adherence to the 1951 Refugee Convention and its 1967 Protocol. One delegation pointed out that UNHCR is primarily a protection agency and commended it for taking a rights and community-based approach to protection. Another speaker stated that "in the long term, we need an enduring protection framework that is able to respond quickly to new situations as they arise".

5. But, in order to continue to carry out its mandate and protection activities and address new concerns, as noted by both the High Commissioner and many delegations, UNHCR had to consolidate its internal reform process. Many speakers expressed support for various aspects of UNHCR's reform efforts, notably decentralization and regionalization to strengthen UNHCR's presence in the Field, and the Global Needs Assessment to help the organization adopt results-based management and budgeting tools and practices. Several delegations welcomed the new 2010-2011 budget approach, cautioning nevertheless that UNHCR would most likely have to prioritize needs identified and that the budget could well be more difficult to fund. And with regard to funding itself, several speakers noted that even in the face of an economic crisis, this budget required increased funding, along with less earmarking to provide UNHCR with more flexibility, and that the Office should continue to broaden its donor base.

6. Several delegations also expressed support for UNHCR's participation in wider United Nations reform initiatives such as Delivering as One, which had the potential to address more concertedly gaps in post-conflict recovery. They also welcomed UNHCR's efforts with regard to the cluster approach in general, and the protection cluster in particular, as a means to enhance assistance and protection for

IDPs. A few delegations, however, cautioned UNHCR to focus on its primary mandate.

7. Many delegations noted the importance of UNHCR's continuing partnerships with OCHA, other humanitarian agencies and organizations, development agencies, member States and NGOs; a few also called for new forms of cooperation in the face of global challenges such as climate change, the financial and economic crisis, and food, water, and energy insecurity. Several speakers encouraged the High Commissioner to contribute to addressing the impact of climate change.

8. Many delegations commented on the four challenges raised by the High Commissioner in his opening remarks. Speakers expressed concern about the shrinking of humanitarian space and restrictions on unhindered access for humanitarian assistance. Numerous delegations offered their condolences at the loss of life of UNHCR staff members. In addition, there was broad condemnation of attacks and violence directed against humanitarian workers and a call for an end to impunity for those who commit such acts. Delegations also encouraged UNHCR to continue its efforts to strengthen staff security.

9. With regard to shrinking asylum space, one group of countries noted that the right to asylum continues to be a basic tenet of UNHCR's work. Others expressed concern over the need to ensure the protection of refugee rights in mixed migration flows. Several speakers commented on policies their countries were implementing to improve the rights of asylum-seekers, and UNHCR was encouraged to continue to play a significant role in collaboration with the European Union regarding the further harmonization of a common European asylum system.

10. Delegations also agreed with the High Commissioner regarding the difficulty of achieving durable solutions. Voluntary repatriation remained the preferred solution for most delegations, but it was noted that conditions in countries of origin have to be improved in order to encourage refugees to repatriate. There were calls for increased resettlement opportunities and several delegations described their efforts in this area. Several speakers pointed out the tremendous burdens faced by host countries and encouraged increased commitment and international burden sharing on the part of the international community, including assistance in capacity building. At the same time, a number of other delegations noted the significant contributions of host countries. Numerous speakers expressed concern over protracted refugee situations, urging further efforts to address these situations as well as to complete the negotiations on the Conclusion on Protracted Refugee Situations. Finally, several speakers noted the importance of addressing the root causes of conflict in the hope of preventing displacement from the outset.

11. In terms of addressing the needs of persons of concern to UNHCR in urban settings, many delegations were looking forward to discussing the topic at the Dialogue on Protection Challenges to be held in December 2009.

12. In addition to these general challenges facing UNHCR, and indeed all Committee members, many delegations commented on specific situations of concern to their countries. There were too many to comment on. They stretched even beyond the "arc of crisis" from South-west Asia through the Middle East to the Horn and Great Lakes of Africa, as described by the High Commissioner. Collectively, however, they highlighted the complex and daunting task before the Committee.

13. But some bright spots had also emerged during the debate: recent and projected returns in many countries; offers to enhance resettlement; commitments to greater funding; recognition of the achievements of previous agreements such as the OAU Convention, the Cartagena Declaration, and the Mexico Plan of Action; and the upcoming Special Summit of the African Union that was expected to result in a regional Convention on Protection and Assistance to Internally Displaced Persons in Africa. More importantly, it appeared that there was consensus on the fundamental issues and approaches that should be undertaken to address the challenges to be faced in the coming years.

14. One point of agreement was that the foremost task for UNHCR — and for the Executive Committee — was to help people who need protection. Such efforts must be people-centred, with more efforts needed to assist women and children; to stop sexual and gender-based violence; and to empower the displaced, through education, training, and the development of self-reliance. It was important to live up to the moral imperative of saving and safeguarding lives. As he had indicated in his opening remarks, the Chairman hoped that this constructive debate would help all concerned approach this task as a team, devoted to finding durable solutions together.